IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.1025 OF 2006

Pandu Baji Khairnar, since deceased through his legal heirs Ahilyabai Gaikwad and ors. ...Appellants

v/s

Rambhau J. Khairnar, since deceased through his legal heirs Balkrishna R. Khairnar and ors. ...Respondents

Mr H.E. Palwe for Appellants.

Mr K.K. Tated for Respondent Nos.1(a) to 1(f), 2(a) to 2(h) and 3.

CORAM : D.K. DESHMUKH J.

DATE : 13TH JULY 2007.

P.C. :-

1. Admittedly according to the defendants, there was partition. In that partition, the land bearing survey No.662/2, situated at Nandgaon, District Nasik went to the share of Govind. The appellants who were defendants, claim that the land came to them by transfer, but no registered deed of transfer is produced. Therefore, the Appellate Court has rightly held that the plaintiffs have share in the property. I do not see any substantial question of law arising. Appeal is rejected. Civil application No.1744 of 2006 is disposed off.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Private Secretary as true copy.

. Certified copy expedited.